

**Appl. No.** : 10/804,584  
**Filed** : March 16, 2004 \*

### **REMARKS**

In the Office Action mailed November 2, 2004, the Examiner objected to various informalities and also rejected all pending claims, Claims 1-30, for obviousness-type double patenting. In response, Applicants have filed a Terminal disclaimer herewith and have amended the specification and Claim 19. Applicants respectfully request entry of the amendments and full consideration of the remarks contained herein.

#### **Amendments to the Claims**

Applicants have amended the claims to clarify further the subject matter that Applicants regard as the invention. Applicants have amended Claim 19 to recite a “non-magnetic interlayer between the free magnetic layer and the pinned magnetic layer.” Support for the amendments can be found in the Application, *e.g.*, pp. 9-10, as originally filed. Consequently, Applicants respectfully submit that the amendments add no new matter and are fully supported by the Application as originally filed.

#### **Objections to the Specification**

The Examiner has requested that paragraph [0001] be amended to indicate that U.S. Patent Application No. 10/068,465 has issued as U.S. Patent No. 6,735,112. In response, Applicants have so amended paragraph [0001].

The Examiner has also objected to the abstract for reciting the phrase “is disclosed.” In response, Applicants have deleted the phrase “is disclosed” and have replaced the phrase “memory comprising” with “memory comprises,” as suggested by the Examiner.

Accordingly, Applicants respectfully submit that the objections to the specification are overcome.

#### **Rejection for Non-statutory Double Patenting**

The Examiner has rejected Claims 1-30 for obviousness-type double patenting over U.S. Patent No. 6,735,112, alone and in combination with U.S. Patent No. 5,465,185. The Examiner also indicated that the rejections could be overcome by filing a Terminal Disclaimer. In response, Applicants have filed a Terminal Disclaimer herewith. Consequently, Applicants respectfully submit that the rejections of Claims 1-30 are overcome.

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**CONCLUSION**

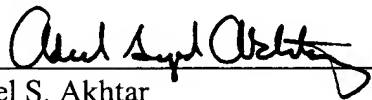
In view of the foregoing amendments and remarks, Applicants request entry of the amendments and submit that the application is in condition for allowance and respectfully request the same. If any issue remains that the Examiner feels may be addressed by Examiner's amendment, the Examiner is cordially invited to call the undersigned for authorization.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 28, 2005

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